IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 100 OF 2007

Kisan Mahadev Sangle and ors. ..Applicants

Vs.

The State of Maharashtra ..Respondent

Mr. Deepak Churi for applicants.
Mrs. M.H. Mhatre, APP for State.

**CORAM: B.H. MARLAPALLE, J.**

**Date : January 23, 2007.**

**P.C.:**

1. Heard the learned counsel for the applicants who are impleaded as accused nos.4 and 5 in C.R. No.300 of 2006 registered with the Bhandup Police Station. Accused Nos.2 and 3, namely, Smt.Shevantibai Mahadev Sangle and Lilabai Mahadev Sangle have been released on bail. The present applicants had approached the Sessions Court in Criminal Bail Application No. 2343 of 2006 and it was rejected on 4/1/2007. This application was filed by accused nos.1, 4 and 5.

2. The medical certificate prima facie shows that the deceased Sulochana, wife of accused no.1 Vasant died of head injury when she fell down before a running train. Her head was crushed. The complaint filed by her mother about 2 weeks later states that

she was being ill-treated and harassed for the demand of Rs.1 lac for providing a separate room for her husband. She was married on 24/3/2006 and she is alleged to have committed suicide some time on 1/12/2006. Her husband Vasant is in custody. The present applicants are his brother and though were staying together, there is no justification for they being retained in custody during the pendency of the trial and in any case their case cannot be equated with the case of accused no.1. Having regards to the investigation papers placed before me, I am satisfied that these two applicants deserve to be released on bail.

3. Hence the application is allowed and it is directed that each of the applicants be released on bail on furnishing PR bond in the sum of Rs.5000/- each with one solvent surety for the like amount for each of them. They shall report to the concerned police station once in a month during the pendency of the trial.

**(B.H. Marlapalle,J.)**